

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	
v.	:	CR No. 12-082M
	:	
BILLIE SCHOFIELD	:	

MEMORANDUM AND ORDER

For the reasons stated on the record at the November 26, 2012 hearing, the Government's Motion for Forfeiture of Bond (Document No. 71) is GRANTED in part and the Government's Motion for Detention (Document No. 68) is DENIED. In the Unsecured Appearance Bond in the amount of \$20,000.00 signed by Defendant on May 7, 2012, he expressly agreed "to follow every order of this Court" and that the "bond may be forfeited if [he] fail[s] to appear for Court proceedings." (Document No. 3). The Bond is partially forfeited by Defendant in the amount of \$3,393.47 due to Defendant's failure to appear for jury empanelment on November 15, 2012. This is the total amount of the juror expenses (attendance fees, parking costs and allowable mileage and tolls) incurred and paid by the Court to the fifty-two jurors summoned to appear by the Court for jury empanelment in this case on that date. Such expenses (and the time of all involved) were wasted because of Defendant's unexcused failure to appear for such scheduled Court proceeding as required or to take appropriate steps as a pro se Defendant to move for a continuance or otherwise personally notify the Court of his claimed inability to attend the proceeding due to illness. Further, Defendant has offered no medical evidence to substantiate his claim that he was too ill to attend the Court proceeding on November 15, 2012 and no evidence or explanation sufficient to reconcile his

claim of illness with his ability to travel on that day and place himself in very close proximity to the Courthouse at or around the scheduled start time of the jury empanelment.

Accordingly, the Government's Motion for Forfeiture of Bond (Document No. 71) is GRANTED in part in the amount of \$3,393.47. Defendant is hereby ORDERED to make payment in such amount payable to the "Clerk of Court, U.S. District Court" within thirty (30) days and the Clerk of Court is directed to apply such payment to the Fund for Reimbursement of Juror Expenditures.

SO ORDERED

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
November 27, 2012